

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

1. REX ARDERY,

Plaintiff,

Case No.: CIV-12-412-C

v.

1. OWNER-OPERATOR SERVICES,  
INC., and,  
2. CERTAIN UNDERWRITERS at  
LLOYD'S, LONDON,

Defendants.

NOTICE OF REMOVAL

1. Certain Underwriters at Lloyd's, London ("Lloyd's") is a Defendant in a civil action recently brought against it in the District Court of Oklahoma County, State of Oklahoma, titled *Rex Ardrey, Plaintiff v. Owner-Operator Services, Inc. and Certain Underwriters at Lloyd's, London, Defendants*, Case No. CJ-2012-943.
2. At the time of filing the state court action, Plaintiff is a resident and citizen of the State of Oklahoma. Lloyd's is an unincorporated association. Owner-Operator Services, Inc. is a foreign corporation duly organized under the laws of the State of Missouri. The parties are completely diverse.
3. In his Amended Petition, Plaintiff claims to be entitled to recover judgment against the Defendant in an amount in excess of \$75,000.00, plus

attorney's fees and court costs. Therefore, the amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

4. This is the kind of action of which United States District Courts have original jurisdiction because of diversity of citizenship and sufficiency of the amount in controversy. Therefore, pursuant to 28 U.S.C. §1441, *et seq.*, Lloyd's hereby removes this action to the United States District Court for the Western District of Oklahoma.

5. The underlying state court action was commenced against Lloyd's on March 15, 2012. Subsequently, Lloyd's was served on March 19, 2012. This notice of removal is therefore timely filed within thirty (30) days after receipt by Lloyd's, "through service of otherwise..." of the Plaintiff's state court Petition. 28 U.S.C. §1446(b).

6. Copies of all process, pleadings, and orders filed or served upon or received by Lloyd's in the state court action are attached hereto as Exhibit 1 – Amended Petition, Exhibit 2 – Return of Service and Exhibit 3 – Entry of Appearance and Reservation of Time. A copy of the state court docket sheet dated April 16, 2012, is attached as Exhibit 4, as maintained by the Oklahoma State Courts Network.

7. Written notice of the filing of this Notice of Removal will be given promptly to Plaintiff, and Notice of the filing of this Notice of Removal will be promptly filed with the Clerk of the District Court of Oklahoma County, State of Oklahoma, as provided by 28 U.S.C. §1446(d).

WHEREFORE, the Defendant, Certain Underwriters at Lloyd's, London, removes this action to this Court, invoking this Court's jurisdiction.

DATED April 16, 2012.

PIERCE COUCH HENDRICKSON  
BAYSINGER & GREEN, L.L.P.

/s/Shannon E. Bickham

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***Attorneys for Defendants,  
Owner-Operator Services, Inc., and  
Certain Underwriters at Lloyd's London***

**CERTIFICATE OF SERVICE**

This is to certify that on this 16<sup>th</sup> day of April, 2012, I caused to be mailed a true, correct and exact copy of the above and foregoing instrument, postage thereon fully prepaid, to the following:

Bryan G. Garrett  
Gary C. Bachman  
Stephen D. Bachman  
HOLLOWAY DOBSON & BACHMAN  
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Oklahoma City, OK 73102

***Attorneys for Plaintiff***

/s/Shannon E. Bickham  
Shannon E. Bickham